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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/510,707	06/30/2005	Mohammad Jamal El-Hibri	260220US0XPCT	2829
	7590 04/09/200 AK, MCCLELLAND 1	EXAMINER		
1940 DUKE ST	REET	TRUONG, DUC		
ALEXANDRIA, VA 22314			ART UNIT	PAPER NUMBER
		1796		
			NOTIFICATION DATE	DELIVERY MODE
			04/09/2008	ELECTRONIC

## Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com oblonpat@oblon.com jgardner@oblon.com

		Application No.	Applicant(s)			
Office Action Summary		10/510,707	EL-HIBRI, MOHAMMAD JAMAL			
		Examiner	Art Unit			
		Duc Truong	1796			
Period fo	The MAILING DATE of this communication app or Reply	ears on the cover sheet with the o	orrespondence address			
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).						
Status						
1)	Responsive to communication(s) filed on 21 Fe	ehruary 2008				
-		action is non-final.				
3)□	·—		peacution as to the merits is			
<i>ا</i> ل	☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.					
Disposit	ion of Claims					
4)  🗙	Claim(s) <u>20-23,25-34 and 37-46</u> is/are pending	in the application				
الحكار ا	4a) Of the above claim(s) is/are withdrawn from consideration.					
5\⊠	Claim(s) <u>21-23,25,27,37,38 and 45</u> is/are allow					
·	• • •					
·	Claim(s) <u>20,26,28-34 and 39-44</u> is/are rejected					
, —	Claim(s) <u>46</u> is/are objected to.					
8)[_]	Claim(s) are subject to restriction and/or	r election requirement.				
Applicat	ion Papers					
	The specification is objected to by the Examine					
10)	The drawing(s) filed on is/are: a) acce	epted or b) $\square$ objected to by the ${}^{ }$	Examiner.			
	Applicant may not request that any objection to the	drawing(s) be held in abeyance. See	∋ 37 CFR 1.85(a).			
	Replacement drawing sheet(s) including the correct	ion is required if the drawing(s) is ob	jected to. See 37 CFR 1.121(d).			
11)	The oath or declaration is objected to by the Ex	aminer. Note the attached Office	Action or form PTO-152.			
Priority (	under 35 U.S.C. § 119					
<ul> <li>12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).</li> <li>a) All b) Some * c) None of:</li> <li>1. Certified copies of the priority documents have been received.</li> <li>2. Certified copies of the priority documents have been received in Application No</li> <li>3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).</li> <li>* See the attached detailed Office action for a list of the certified copies not received.</li> </ul>						
2) Notice (3) Infor	et(s) Dee of References Cited (PTO-892) Dee of Draftsperson's Patent Drawing Review (PTO-948) Dee of Draftsperson's Patement(s) (PTO/SB/08) Deer No(s)/Mail Date	4) Interview Summary Paper No(s)/Mail Da 5) Notice of Informal F 6) Other:	ate			

## **DETAILED ACTION**

Applicant's arguments filed 02/12/08 have been fully considered but they are not persuasive. The Amendment and the response submitted by Applicant do not overcome the rejection made by examiner in the last Office action.

Claims 20, 26, 32-34 and 39-44 are rejected under 35 U.S.C. 102(b) as being anticipated by Beverly (3,755,256) or GB 1398133, as stated in the last office action.

Claims 28-31 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Beverly.

The rejection is maintained for the reasons as stated in the last office action and for the following reasons:

Applicant's arguments are based on the amended claim 20 requiring the presence of three components: a polyphenylsulfone, an organic phosphorous containing compound, and at least one of blue to violet dye and an optical brightener in that either blue to violet dye or optical brightener component can be used as the required third component in that the optical brightener component is not defined and is included in any dye or pigment based on the functionality of said component.

The Beverly or GB 1398133 does disclose the use of dyes or pigments having the same functionality with the claimed optical brightener, then one can replace another in the claimed composition, unless Applicant provides evidence the show the differences.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

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THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Claims 21-23, 25, 27, 37, 38 and 45 are allowed.

Claim 46 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Truong whose telephone number is 571-272-1081. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Seidleck can be reached on 571-272-1078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Duc Truong/ Primary Examiner, Art Unit 1796



Application/Control No.		Applicant(s)/Patent under Reexamination	
10/510,707		EL-HIBRI, MOHAMMAD JAMAL	
	Examiner	Art Unit	
	Duc Truong	1796	

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